Defendant and Mother Both Take the Stand; Attorneys Have a Tilt.

COMPLAINTANT AGAIN ON WITNESS STAND

RGUMENTS in the case of "Bill" Caples, charged by grand jury indictment with criminal assault

on Eilen Godsey, will commence this offernoon and the case will go to the jury some time Thursday.

Bridgers's Argument Delayed.

More witnesses were being introduced Wednesday afternoon, and this delayed the opening argument of district attorney Bridgers, which was extended to be made shortly after court convened for the afternoon session.

Mr. Bridgers said he expects to conceince his first argument Wednesday afternoon.

ciede his first argument wednesday afternoon.

A tilt between attorneys featured the morning session Wednesday. Capies, the defendant, and his mother, iter Margaret Capies, both took the sland Thoughty afternoon, judge Dan M. Inckson appointed Drs. Paul Gallagher, M. R. Wesson and Howard Thompson to make an examination of the girl. They were subpensed Tuesday, but were not put on the stand Wednesday morning.

Deputy Fulghem Testifies.

Deputy Swelft Jim Fulgham, the Deputy sheriff Jim Fulgham, the first witness called Wednesday morning, toestified that he returned in an automobile from Las Cruces with the defendant. Caples.

D. A. Carpenter, one of the jurors, who before the session of the court Tursday morning, asked judge Jackson if he might ask a question, was instructed to reduce his question to writing. The juror wanted to know whether the burst estiffed to by Ellen Godgey were blown in her hair by the wind or put there by some other force. The defence here announced that it rested but withdrew the announcement The defence here announced that it resided but withdrew the announcement to call W. A. Sutherland, an attorney of Las Cruces, N. M. He testified that he received a message from Mrs. Caples to the effect that she wanted Caples to go to his brother in St. Louis. In roing to beard the train, the witness said that he saw deputy Jim Fulcham sed off the train. He and Caples passed right in front of him. Fulcham had testified that he did not see Caples at Las Cruces at that time; if he did, he said, he did not recognize him.

him.

Caples Would Return Home.

At Socorro, Mr. Sutherland said, the was awakened by some one talking in the nisle. Mr. Cook, of Socorro, he said, was telling Caples that Mr. Holt wanted him to come back. Caples, he said, stated that he did not want to go back, but wanted to come to El

District attorney Bridgers moved to have the latter statement stricken from the record on the ground that it was self serving. Judge Jackson over-raied the objection.

rnied the oblection.

"We received that telephone message from his mother to the effect that there was no warrant as far as could be ascertained," said Sutherland, "We then advised him that under the circumstances he could go any place he pleased. He said: 'O, hell, I will go back,' He finally decided to do what his mother wanted him to do."

On cross examination, the witness said that he and his partner were Capler's atterneys at Las Cruces and regressited him in proceedings there.

The defence here announced that it rested.

Mildred Meredith was called by the "Was there a discussion about with-

state. She testified that Ellen Godsey had a number of burrs in her hair,
when she returned home the night of
the sileged offence.

"Mr. Weeks has just been talking to
you, hasn't he?" asked Mr. Bridgers.

"I did talk to her; I don't want any
insimuations," declared Mr. Weeks. District atformey Bridgers arose.

"Gentlemen, I want you to cut out
this personal matter," said judge Jackson.

Mr. Bridges was sworn as a witness.

"You asked the witness about these cockle burrs?" Mr. Dale asked him.

"Yes, sir," replied Mr. Bridgers. "The witness testified about these burrs before the grand jury. I discussed the burrs at that time.

The Between Hudspeth and Bridgers.

Then you knew," said state senator Hudspeth, rising to his feet and liftinh his voice, "that she would testify about the cockle burrs."

"Didn't you hear she would testify to that?" saked the district attorney to the state senator. "If you did not, you had better amend that manuscript." (The district attorney indicated the notes that senator Hudspeth has been keeping during the trial of the case.)

"That manuscript..." began the senator.

"Senator the court has already ad-moulahed you gentlemen." interrupted judge Jackson, "about this matter. The court will not permit this before the J. P. Weeks arose. "The state has

insinuated these things," he said. "Personally I do not like it. I practice law homorably. I may have spoken hastily, I want to explain my conduct."

"That is not necessary," said judge Motion Is Overruled.

"Do I understand the court overrules the motion to strike out?" Mr. Stanton asked judge Jackson.

"Yes. sir," replied the court.
"I think the whole controversy is improper." Stanton said. "I don't want it to prejudice the defendant's rights." If I thought that," judge Jackson said. "I would grant the motion." Mildred Meredith testified that she was sluging a long on she was removwas singing a song as she was remov-ing the burrs from Ellen Godsey's hair and combing it.

Stanton Likes Music. "What was that song" Mr. Stanton asked her, leaning forward and placing his hand back of his ear, "I am very fond of music." He smiled at the wit-

The jury was sent into the stenogra-pher's office. In the absence of the jury, she said: "When Ellen Godsey came in I was taking the burrs out of her hair, and combing it. I was "What was that song?" asked Mr.

"What was that song?" asked Mr. Stanton.

"'You made me love you but I did not want to.'" The witness said that Ellen Godsey half smiled at the song. County attorney P. R. Price was put on the stand by the state. The county attorney testified that he first met Ellen Godsey at the special meeting of the grand jury and later in the office of chief of detectives Jesse C. Stansel. A question of the district attorney about the statements the girl made at that time precipitated an argument and the jury was again regument and the jury was again re-

Testimony To Be Disregarded. Pending a final ruling on the ques-tion relative to the statements of the Godsey girl, judge Jackson instructed the jury to disregard the testimony of the county attorney already given.

Mr. Price then testified, under objections of the defence, that Ellen Godsey stated, that prior to the alleged occurrence, she had never had relations with

The county attorney stated that Ellen Godsey was a witness before the grand jury when investigations were being made in the cases of Dave Marshall and Harry Davis.

The defence moved to strike this out on the ground that it was not material. The motion was overruled.

On cross-examination, Mr. Price testified that there were no indictments re-

On cross-examination, Mr. Frice testined that there were no indictments returned by that grand jury against Marshall and Davis.

Mrs. Ida Grissom was recalled by the state. She testified that Ellen Godsey came in the morning of the alleged around about 2 ociock. Rose Balley, she said, she thought, came in at 12.

Burs in Back of Girl's Hair. The Meredith girl, recalled, testified that the burs were in the back of Ellen Godsey's hair. Crawford Harvey, a member of the grand jury that indicted Caples, was

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chilal courn, falling away of the flesh erwise more serious attack, and the chills that come from thin. You will find E. S. S. on sale at most impoverished blood, S. S. S. so directs any drug store, but he very careful the local cells that this poison is re- not to be talked into something else.

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reason for this is the remarkable action of S. S. S. throughout the cellular tissues of the body.

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Rebel General Declares Federals, After 49 Hours of Continuous Fighting Evacuate, Only to Be Overtaken and Defeated-Many Buildings Are Destroved by Shells and the Torch.

and with great destruction of property in what Gen. Pablo Gonzales, rebel commander, describes as the "bloodiest battle of the revolution," Victria, capital of the Mexican state of

Victria, capital of the Mexican state of Tamaulipas, was captured by "Constitutionalists" early yesterday.

The fall of the capital city gives the insurrectionists control of the entire state except the important scaport of Tampico, against which a strong force of rebels already is operating. General Luis Caballaero probably will be named military governor of Tamaulipas by the "Constitutionalists."

Dead Litter the Streets.

pas by the "Constitutionalists."

Dead Litter the Streets.

General Gonzales, who commanded the besidging "Constitutionalists" made his report by courier to Jiminez and by telephone from there to rebel hendquarters at Matamoros. No definite estimates were given of the loss of life, but it was said that bodies of the dead littered the streets and lay thick through the courtyard and halls of the government palace, where a nortion of the federal garrison made a last stand after being driven from a Catholic sanctuary where they took refuge. refuge.
Every one of these defenders were claim.

Federals Demoralised. Federals Demoralized.

The greater portion of the garrison of 3,900 men, however, evacuated the city after 45 hours of continuous fighting. They retreated to Tula, several miles away, where they were overtaken by the "Constitutionalists" and again decisively defeated. They fleat demoralized into the hills.

General Rabago, Argamendi and

drawing the indictment against Caples?" Mr. Bridgers asked.

"There was not."

Ellen Godsey took the stand. She stated that she had submitted to a medical examination. She had gone to Dr. Paul Gallagher and two others, she said. Dr. Gallagher, Dr. Howard Thompson and Dr. M. B. Wesson had been appointed by the court to make the examination.

On cross examination she was asked if she had met a certain man and at her request he had taken her in his automobile to the road house. The court sustained the objection to the question.

Adjournment was taken until 2 oclock

her she might talk or needn't to; that you were the attorney for the Caples estate and would represent Bill." Mr.

Onestioned the Girl.

"I asked her all about the case. I asked her if she was a pure girl. She positively said she was not."
"What was the object in asking her If she was a good girl he should marry her.

"The girl told me she would like to go home to her parents in Los Angeles. She said she did not have any clothes or a trunk. I had a trunk and told her that if she wanted it she could

have it.

"Of course, when I found out there was an indictment out against Bill I had him brought back."

Mrs. Caples said that she did not know of any process being out for Ellen Godsey when the girl left for Dem-

len Godsey when the string.

"I gave Harry Davis the check to get the girl's clothes and trunk. She said her mother was very sick and she wanted to go home to her. I felt very sorry for her."

On cross examination she testified that Caples was gone when she had the conversation with Elien Godsey about marriage.

She said she had been with other men."
"Then you changed your mind about letting 'Bill' marry her?"
Mrs. Caples bowed her head and answered. "Yes."
Mrs. Caples reiterated that both her son and Ellen Godsey had told her there was nothing to the case. The girl she said told her this four or five times.

times.

Mrs. Minnie Marsh, a witness for the defence, testifled that she ran a rooming house on West Overland street. She saw Ellen Godsey at her house sitting in the parlor talking to a man. Edith Campbell was there with another-man. After awhile the two men left and then the girls followed.

"Bill" Caples on Stand.

"Bill" Caples was then put on the

"Bill" Caples on Stand.

"Bill" Caples was then put on the stand. He testified: "I am the defendant. I am 21. I met her on Sent. 7. It was in the evening. Harry Davis introduced me. I asked her if she wanted to go out and, she said she could not, she had a date with Mr. Schuster. "I saw her the next day. She was standing in the theater. She come out. I thought I would get a drink and went into the har. She passed by and called me out.

"We went into the cafe. She said she wanted beer. We stayed around drink-

"We went into the cafe. She said she wanted beer. We stayed around drinking off and on, all afternoon." He did not know how many drinks they had. "I know I had \$10 and when I got home I never had a cent," he said.
"I gave Dayls 70 cents, all I had, to go out and get two tickets to the show. I invited him to supper. We came back about 1.20.

about 7:30.

Wasn't Looking for Her."

"A negro porter. I believe, told me that the Godser girl wanted to see me.

"I wasn't going to look for her at all. I went in. I think we had about two drinks. I asked Daris in the presence of the girl if he had the tickets and she spoke up and said she wanted to go.

We figured that we were all pretty wait until the curtain went up and the "After we got in I requested her to keep still or I would have to leave. I saw my mother, she keep hodding to me to get out. I was afraid that if I strated out Miss Godsov would grab me and call incoming Devis said. For

God's salie, let's try and keep her

B ROWNSVILLE, Tex., Nov. 18.— Eugenio Aguilar commanded the federais.

The attacking "Constitutionalists" were reported to number about 5,000 men. Their loss was four officers and between 30 and 50 men. General Gonzales said that the federal loss would run into the hundreds.

Property Loss In Heavy.

Terrible destruction to property was done in the two days battle which raged throughout the principal streets of the city and many handsome building not razed by shell, were levelled by the torch. Victoria has a population of 15,000 and is situated in a rich farming section, inhabited by many Americans.

Refore the federals abaudoned the Before the federals abandoned the city hundreds of guns were piled in front of the arsenal and fire started

chout them. The "Constitutionalist" lead re-ported however, that many of the guns were salvaged. Horses, sadies, four cannon and much ammunition was captured. Four prisoners were captured.

BATTLESHIP NEW HAMPSHIRE
IS ORDERED TO TUXPAM
Veracruz, Mex., Nov. 19.—The battlenhip New Hampshire sailed from here
today to join the Louisiana at Tuxpam,
where the situation is reported threat-

NATIONAL GRANGE ENDORSES

WILSON'S MEXICO POLICY

Manchester, N. H., Nov. 19.—President Wilson's attitude in the Mexican situation was endorsed today by the National Grange, which is holding its ornual meeting here.

quiet and then when the curtain goes down, we'll got her out." Caples then detailed the bottle inci-Capies then detailed the bottle incident and the disorder.

"As the curtain was going down I got up to get out. I did not stop to see whether she was following or not. In the meantline an unher came and said that if she could not act like a lady not to stay in there.

"I don't know to this day how we ever got together again. We were in the Angelus cafe again. We must have had three or four drinks.

"I had the machine out in front.

"5he Requested-"

court sustained the objection to the question.

Adjournment was taken until 2 oclock Wednesday afternoon.

Defendant's Mother Testifles.

Mrs. Margaret Caples, the mother of the defendant, was the first witness placed on the stand by the defence Tuesday afternoon. She testifled: "I have lived here 28 or 29 years. I have five children, four boys and one girl. "Bill" is past 21 years.

"I was in St. Louis recently, My health has been very poor."

"At the time you got this information did you know anything about a grand jury."

"I did not. I sent for the girl. I had a talk with her. She said she was out joy riding and there was nothing to it—just a drunken row. I thought it best to send for my attorney—Mr. Stanton.

"You (addressing M. Stanton) told her she might talk or needly, to; that

"I had been home to my mother and told her I owed a friend \$20 and she gave it to me.
"I came back from Juarez the same

estate and would represent Bill." Mr. Stanton examined the witness.

"She said she was 16. She corrected that and said she was born in 1895.

"She said that some one had advised her wrong, that it was nothing serious. I think you went first. You told her to go back to her room.

"I talked over with you, if you remember, four or five days before that, about sending him to school.

"I sent him away. At that time I did not believe there would be any prosecution.

"Save it to mc.

"I came back from Juarez the same street I went down. There was a big clock, It was 15 minutes of 2 I sent Davis down to the Swastika club and he got a dozen pints of beer.

"When we got to the cafe, we sat there a minute. I was broke and I knew that I could not go in and charge anything.

"We went out in the machine egain.

She kept pulling the spark up and down.

"And Let Her Go."

"When we got past the cemetery and there was no one on the road. I just advanced the spark and throttle, and let it go.

let it go.

"The hood blew back and hit the wind shield. Then I said I would have to stop and get it. She said we could get it when we came back.

"We were running close to the ditch when she put her hands over. She had her hand on the throttle. I pulled her off and she struck me.

"I stopped the machine and walked back to get the hood. We must have passed the Lone Star a mile or so before we stopped. I got out and got six bottles of beer." The witness said the two drank ten more bottles of beer the two drank ten more bottles of beer at this fime and missed two. Witness denied specifically the main

allegations. "Friendly as Ever."
"Coming back in the machine she was just as friendly as she was going down," he said. "We weren't talking

much."
Mr. Stanton read the indictment to
the defendant. "Is that true," he asked.
"It is not," the defendant emphatically declared.
The rest of the testimony was chiefly about the trip to Las Cruces and the

"My conscience was all right, didn't "my conscience was all right, didn't hother me. There was nothing on my conscience," said Caples.

The witness said arrangements for him to attend school had been underway. The witness said that his intention was when he went to Las Cruces was to go on to school at St. Louis. The witness said that Ellen Godsey

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had told him about the picture first objected to. "I figured out she wasn't much," said the defendant. The defence here again urged the introduction of the picture in evidence. Objection to its introduction was again sustained. Free to Men

its introduction was again sustained.

No Sympathy for Girl.

"Miss Godsey said when I saw her again that she had been arrested for perjury and I had better stick to her and get her out."

"Well, you did stick to her?"

"I did not."

"Who employed Mr. Weeks and Mr. Stanton to defend her?"

"I don't know. I didn't know they defended her."

"Well, you had sympathy for her?"

"No."

"No."
"You have sympathy now for her?"
"Not a bit."
The witness denied that he knew anything about Ellen Godsey being

asked to leave.

Acton, Ala., Nov. 19 .- An explosion in No. 2 mine of the Alabama Fuel and Iron company here late yesterday killed of the miners who were entombed by the explosion were rescued alive. , bodies of nine of the victims have been

The rescuers, who began work last night, came upon the bodies of seven miners at the sixth entry to the mine. The explosion is believed to have been caused by ignition of dust, set off by

Rescue work was undertaken in a systematic manner. The new federal automobile ambulance made a quick run of 34 miles from Birmingham, arriving here simultaneously with the Tennessee Coal and Iron company's crew by special train. The mine fan, which was not damaged by the blast, was set in

The mine was comparatively new and was said by officials to have been provided with modern equipment through-State mine officials are investigating

EL PASOAN RECEIVER OF DOUGLS BANK

the explosion.

W. E. Arnold, Cashier of Rio Grande Valley Company, Will Reopen
Arlzona Institution.

Douglas, Ariz., Nov. 13.—W. E. Arnold, cashier of the Rio Valley Bank
and Trust company, of El Paso, who
has been appointed receiver for the
Arizona Bank and Trust company, of this city, has gone to Tombstone to file his bond. Mr. Arnold expects to return to Douglas Wednesday and immediately begin making arrangements for reopening the bank for business.

It is stated by former bank officials that the institution will probably be able to pay a larger precentage than been anticipated.

Winchester Cooley, manager of the Rio Grande Valley Bank and Trust company, said Wednesday that Mr. Arnold would remain in Douglas for about a month to reopen operations of the Arizona bank.

The deposits of the bank reached about \$115,000. Mr. Cooley said, while its capital stock is \$25,000. "Our bank is interested to a small extent in the matter of a loan to the Douglas bank," said Mr. Cooley, "and we succeeded in getting Mr. Arnold named as receiver."

had been anticipated.

DEATHS AND BURIALS

A. S. REYNOLDS. A. S. REYNOLDS.

A. S. Reynolds, a "newsboy." though aged and infirm, was found dead in his room at the New Home hetel, 501 1-2 South El Pase street, Tuesday by Henry Loeben, an E. P. & S. W. engineer who roomed with Reynolds. Justice E. B. McClintock was called for coroner service. Acuts pheumonia was given as the cause of Reynold's death. He was long a familiar figure on the He was long a familiar figure on the streets every afternoon, and many hought their copies of The Herald from him regularly,

MRS FRANCES PAZ DE PIQUERO. MRS PRANCES PAZ DE PIQUERO,
Mrs. Frances Pas de Piquero died at
her residence, 321 Chihua sua street,
carly this morning. The funeral occurs this afternoon at 4 o'clock at the
church of the Sacred Heart. Mrs. Piquero was 52 years of age. Three
children survive her: Mrs. A. Longchallon of New Orleans, and Mrs. M.
Pernandez and Caesar Piquero of El
Pago. The latter is an employe in the Page. The latter is no employe in the auditor's office of the Madera com-

BODY MOVED TO EVERGREEN. The body of F. M. Goodin, which has been buried for 25 years at Capitan. N. M. was disinterred and shipped to El Paso, and buried in Evergreen commetery Wednesday afternoon.

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Would You Like to Be a Strong, Husky, Manly Fellow Once More? New Method Without Drugs

The attached coupon entitles you to one illustrated copy of my pocket compendium and guide for the self-restoration of lost strength. (See description below.) Upon hearing from you, this valuable little book of private information for men will be sent by return mall in plain, sealed envelope. Please call or write today.

There is a new and marvelous method for restoring lost manly strength, for renewing vigor, which every man should know of, a self-restorer which operates without the use of drugs or medicine, a new way to treat yourself for your ills and weaknesses. See description below.

Please remember that a man is not one day older than he actually feels, and therefore no matter what your age, if you are young or elderly, married or single, large or small, if I can show you, reader, how you yourself may actually add to your system, nerves and blood the very nerve force or vigor which may have been drained away, and which is necessary to make you strong vigor.

nerve force or vigor which may have been drained away, and which is necessary to make you strong, vigorous and capable again, then I have shown you the real secret of perpetual strength, and how you can again be filled with vigor, and again be filled as thoroughly manly in your capacity as the biggest fullest blooded, most successful fellow of your acquaintance.

The new self-treatment for the property of the self-treatment for the self-t



blooded, most successful fellow of your acquaintance.

The new self-treatment for the restoration of manly strength, to which I refer above, is a little light-weight VITALIZING Appliance of my invention, which is now meeting with a tremendous demand, and being used by men everywhere all over the world. This little VITALIZER, weighing only several ounces, is comfortably buckled on the body and worn all night. It is so small and so comment that even a roommate would not suspect that you were wearing it. If however, this VITALIZER is small in size, it is not small in power, for it generates a great tangible FORCE, which can be measured on scientific instruments a POWER which I call VIGOR or NERVE ENERGY, and it sends this marvelous FORCE into your blood, organs and nerves while you sleep. All you have to do is to lead a decent, manly man's life, free from excesses and dissipation, then use the VITALIZER, nothing more. If this is followed out and the VITALIZER does for you what these others say it does for them, then all the pain or weakness will disappear from the small of your back—possibly from the first night's use—and you will be restored to a strong, vigorous, manly, capable man, without a single ache, pain or weakness. Please remember, I am not asking you to buy one of these VITALIZER, but merely request you to first send for the free book described below, a section of which is devoted to an explanation of this VITALIZER, and gives you its whole wonderful story, so that you may know what intelligent young and elderly men everywhere are saying about it. MANLY MEN RULE THE WORLD.

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